

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO.:

JESUS GONZALEZ,

Plaintiff,

v.

HYATT CORPORATION,
a foreign corporation,

Defendant.

_____ /

DEFENDANT’S NOTICE OF AND PETITION FOR REMOVAL

Defendant, Hyatt Corporation (“Hyatt” or “Defendant”), by and through its undersigned counsel, and in accordance with the applicable Federal Rules of Civil Procedure and 28 U.S.C. §§ 1331, 1367, 1441, and 1446, hereby files this Notice of and Petition for Removal (the “Notice”). Defendant requests that the Court remove this action filed by Plaintiff in the County Court of the Eleventh (11th) Judicial Circuit in and for Miami-Dade County, Florida, to the United States District Court for the Southern District of Florida, Miami Division. The grounds for removal of this civil action are set forth below.

1. On or about July 19, 2024, Plaintiff filed a Complaint in the County Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, *Gonzalez v. Hyatt Corporation* (the “County Court case”). The County Court case was assigned case number 2024-140383-CC-25.

2. In the Complaint, Plaintiff alleges the following causes of action:

- (a) violations of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101(b)(1)-(4), *et seq.* (“ADA”);

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(b) violations of the of the New York State Human Civil Rights Act of 1992, Fla. Stat. § 760.10, *et seq.* (“NYSHRL”);

(c) Violation of the New York City Human Rights Law (“NYCHRL”).

3. Because Plaintiff alleges claims under the ADA (Count I), this action is within the original federal question jurisdiction of the United States District Court pursuant to 28 U.S.C. § 1331. Thus, this action is removable pursuant to 28 U.S.C. § 1441(a).

4. Plaintiff’s state and local law discrimination claims fall within the Court’s supplemental jurisdiction pursuant to 28 U.S.C. § 1367 as the allegations in support of the NYSHRL and NYCHRL claims stem from the same set of facts and form part of the same case or controversy as Plaintiff’s ADA claims.

5. On August 8, 2024, Defendant was served with Plaintiff’s Complaint. Therefore, this Notice has been filed within thirty (30) days after Defendant received the pleading setting forth the claims for relief upon which this removal is based as required by 28 U.S.C. § 1446(b).

6. As required by 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders filed in the County Court case are attached to this Notice as “EXHIBIT 1.”

7. Pursuant to 28 U.S.C. § 1446(d), Defendant will promptly provide written notice of the removal to Plaintiff and will file a copy of this Notice in the County Court in and for Miami-Dade County, Florida.

8. The United States District Court for the Southern District of Florida, Miami Division, includes the judicial county in which Plaintiff filed his Complaint. Thus, removal is proper to this Court.

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WHEREFORE, Defendant, Hyatt Corporation, respectfully requests that the United States District Court for the Southern District of Florida accept the removal of this action from the County Court in and for Miami-Dade County, Florida and direct that the County Court has no further jurisdiction of this matter unless and until this case is remanded.

Dated: September 6, 2024

Respectfully submitted,

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Counsel for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 6, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the attached Service List via transmission of Notice of Electronic Filing generated by CM/ECF and Electronic Mail.

s/Mendy Halberstam
Mendy Halberstam, Esq.

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